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DENG, ANNA CHEN

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	**Applicant(s)**
	10/801,516	QUINN, CARMODY
Office Action Summary	**Examiner**	**Art Unit**
	Anna Deng	2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 July 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 July 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is in responses to amendment filed on 7/10/2007.

2.   The objection to Oath/Declaration is withdrawn in view of applicant submitted new

oath/declaration.

3.   The object ion to drawings is withdrawn in view of applicant submitted replacement drawings.

4.   The objection to the Specification is withdrawn in view of applicant's amendment.

5.   The rejection under 35 U.S.C. 112, first paragraph to claims 8-9 is withdrawn in view of

applicant's amendment.

6.   The rejection under 35 U.S.C. 112, second paragraph to claims 1-16 is withdrawn in view of

applicant's amendment.

7.   Claims 1, 5, 8-9 have been amended.

8.   Claims 17-20 have been added.

9.   Claims 1-20 are pending.

Response to Amendment

Claim Objections

10.   Claims 1, 5, 7-9, 13-14, and 17 are objected to because of the following:

(a) Claims 1, and 8-9 have edit note "Deleted" inside claim text.

(b) Claim 5 has been amended, but does not use an identifier to indicate the status of the claim.

(c) Claims 7, and 13-14 indicate the status "Currently Amended", but no marking changes inside

claim text.

(d) Claim 8 has been amended, but does not be submitted with markings to indicate the changes

that have been made relative to the immediate prior version of the claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

11.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12.   Claims 17 and 20 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing

to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 exists two of step d) (lines 8-9). In claim 20, recites limitation "The method of Claim 17, further

comprising before step d)". It is unclear refer to which step d) in Claim 17. Therefore, the limitation is

indefinite. In the interest of compact prosecution, this limitation is subsequently interpreted "the step d)" to

the step of d) executing the merged registry information on the second computer in Claim 17.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for

the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-5, 7, 11-13, and 15-19 are rejected under 35 U.S.C. 102 (e) as being anticipated by

Gere US 2004/0019778 A1 (hereinafter Gere).

Per Claim 1 (Currently Amendment):

Gere discloses:

-        A method of transporting a customized user interface environment, based on an operating

system which permits customization of user interface environments but which does not itself

directly provide for machine-independent invocation of a customized environment ([0013]),

comprising the actions of, at various times:

     -      a) operating a utility on a first computer to store customized program-specific settings (FIGS.

1-3, a bootable operating system environment 340 of a first machine, [0036]);

     -      b) operating a second utility on a second computer to reconfigure said second computer to

use said settings (FIG. 3, transferred to a second machine, [0037],"a bootable operating

system environment of a first machine (e.g., computer system 300) is ejected from the first

machine and transferred to a second machine (e.g., computer system 100)");

     -      c) reconfiguring the second computer by merging configuration and program information of

said first computer into a local system environment of said second computer (FIG. 3, [0038]-

[0039], "The hardware and software configuration information of the identity object 336 is

then impressed onto the stored operating system environment 313 to update the stored

operating system environment 313 in accordance with the characteristics of the computer

system 100"); and thereafter,

     -      d) operating said second computer in accordance with said settings (FIG. 3, allow the new

operating system environment 340 to boot properly on the new machine, computer system

100, [0037]-[0038]).

Per Claim 2:

Gere discloses:

     -      The method of claim 1, wherein said step a) stores said settings onto a portable data

medium (FIG. 2, [0015], "the stored operating system environment can be coupled to the

computer system using a removable media").

Per Claim 3:

Gere discloses:

- The method of claim 1, wherein said step a) also stores environmental settings ([0014], "an identity object includes hardware and software configuration information regarding the computer system").

Per Claim 4:

Gere discloses:

- The method of claim 1, wherein said step a) stores registry entries (identity object, [0015], lines 7-15; as well known in the art, registry entries are the information necessary to configure the system for one or more users, applications, and hardware devices, Gere teaches the identity object include such information, and it is read in the limitation of registry entry).

Per Claim 5:

Gere discloses:

- The method of claim 1, wherein said step b) retrieves said settings from a portable data medium for use (FIG. 4, steps 401- 403, [0045], "where a bootable instance of an operating system environment is stored on a storage media (e.g., removable disk drive...etc.) ... the stored operating system environment on the storage media is then accessed from the currently running operating system environment of the second machine").

Per Claim 7:

Gere discloses:

- The method of claim 1, wherein said step a) stores said program-specific settings for only some of the programs on said first computer, as manually selected in an operation which does not involve manual installation of programs ([0040], "provide such functionality to the user while retaining its inherent "original" personality"; [0049], lines 21-25, command selections).

Per Claim 11:

Gere discloses:

- The method of claim 1, further comprising the steps of saving any configuration changes made during said steps b) or c), and synchronizing said configuration changes onto said first computer ([0038]).

Per Claim 12:

Gere discloses:

- The method of claim 1, wherein said step a) stores defined user variables ([0015], lines 11-15; the identity object includes user information, such as network id, gateway addresses, domain names, application servers, etc).

Per Claim 13:

Gere discloses:

- The method of claim 1, wherein said step a) stores link library files (FIG. 1, object Library 102-103, [0014], and [0049], lines 4-15)

Per Claim 15:

Gere discloses:

- The method of claim 1, wherein said step a) also automatically captures at least some data files which are identifiably associated with programs for which settings are stored in said step a) (FIG. 4, step 404, [0045]).

Per Claim 16:

Gere discloses:

- The method of claim 1, wherein said step b) also automatically identifies program update needs ([0039], "identity object 336 is then impressed onto the stored operating system environment 313 to update the stored operating system environment in accordance with the characteristics of the computer system 100").

Per Claim 17 (New):

Gere discloses:

- A method of transporting a customized user interface environment ([0013], "allow an operating environment to be transferred to removable storage, transported to a new machine, and booted to the new machine in a seamless manner, taking into account any hardware or software particularities of the new machine"), comprising:

- a) capturing registry information of a first computer ([0014], "The method includes the step of accessing a stored operating system environment coupled to the computer system. An identity object is then accessed, wherein the identity object includes hardware and software configuration information regarding the computer system");

- b) storing the registry information of the first computer onto a portable data medium ([0015], "The stored operating system environment can be coupled to the computer system using a removable media (e.g., a CD ROM, removable hard drive, etc.) device");

- c) retrieving the stored registry information of the first computer (FIG. 3, [0039], "once the operating system environment 330 gains access to the stored operating system 313, and identity object 336 is accessed, wherein the identity object 336 includes hardware and software configuration information regarding the computer system 100.");

-     d) merging the retrieved registry information of the first computer into a registry on a second computer (FIG. 3, [0039], "The hardware and software configuration information of the identity object 336 is then impressed onto the stored operating system environment 313 in accordance with the characteristics of the computer system 100"); and

-     d) executing the merged registry information on the second computer (FIG. 3, [0039]-[0041], "The computer system is then booted using the updated stored operating system environment 313, fro example, executing a restart procedure").

Per Claim 18 (New):

Gere discloses:

-     wherein the registry information comprises one or more dynamic link libraries (DLLs), configuration data, environment settings, programs, program data, and combinations thereof ([0015], "The hardware configuration information of the identity object includes information describing the hardware functionality of the computer system...The software configuration information of the identity object includes information describing the software functionality of the computer system..."; also see [0040]).

Per Claim 19 (New):

Gere discloses:

-     further comprising: e) restoring the registry of the second computer by retrieving the merged registry information of the first computer (FIG. 3, [0039]-[0041], ""once the operating system environment 330 gains access to the stored operating system 313, and identity object 336 is accessed, wherein the identity object 336 includes hardware and software configuration information regarding the computer system 100. The hardware and software configuration information of the identity object 336 is then impressed onto the stored operating system

environment 313 to update the sotred operating system environment 313 in accordance with

the characteristics of the computer system 100").

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 6, 8-10, 14, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gere

US 2004/0019778 A1 (hereinafter Gere), in view of Hamilton, II et al. US 2002/0147938 A1 (hereinafter

Hamilton).

Per Claim 6:

Gere teaches b) operating a second utility on a second computer to reconfigure said second

computer to use said settings (Gere, FIG. 3, par. 0037); Gere does not explicitly teach wherein said step

b) checks for possible conflicts before reconfiguring said second computer. However, Hamilton teaches

wherein said step b) checks for possible conflicts before reconfiguring said second computer (Hamilton,

FIG. 7, steps 715-755, par. 0062).

It would have been obvious to one having ordinary skill in the computer art at the time of the

invention was made to modify the method disclosed by Gere to include wherein said step b) checks for

possible conflicts before reconfiguring said second computer using the teaching of Hamilton. The

modification would be obvious because one of ordinary skill in the art would be motivated to implements

portability of an operating environment and allow an operating environment to transfer to removable

storage (Hamilton, par. 0012).

Per Claim 8 (Currently Amended):

Gere teaches b) operating a second utility on a second computer to reconfigure said second

computer to use said settings; and thereafter c) operating said second computer in accordance with said

settings (Gere, FIG. 3, [0037]-[0038]), Gere does not explicitly teaches further comprising, after step d) a

subsequent step of again reconfiguring said second computer by restoring the local system environment

of said second computer, to at least partially reverse said step b). However, Hamilton teaches a

subsequent step of reconfiguring said second computer by restoring the local system environment of said

second computer, to at least partially reverse said step b) (Hamilton, FIGS. 4 and 8, [0063]-[0064]).

It would have been obvious to one having ordinary skill in the computer art at the time of the

invention was made to modify the method disclosed by Gere to include a subsequent step of

reconfiguring said second computer by restoring the local system environment of said second computer,

to at least partially reverse said step b) using the teaching of Hamilton. The modification would be obvious

because one of ordinary skill in the art would be motivated to implements portability of an operating

environment and allow an operating environment to transfer to removable storage (Hamilton, par. 0012).

Per Claim 9:

Gere teaches b) operating a second utility on a second computer to reconfigure said second

computer to use said settings; and thereafter c) operating said second computer in accordance with said

settings (Gere, FIG. 3, [0037]-[0038]), Gere does not explicitly teaches further comprising, after step d), a

subsequent step of again reconfiguring said second computer by restoring the local system environment

of said second computer, to wholly reverse said step b). However, Hamilton teaches a subsequent step of

again reconfiguring said second computer by restoring the local system environment of said second

computer, to at least partially reverse said step b) (Hamilton, FIGS. 4 and 8, [0058], lines 11-19).

It would have been obvious to one having ordinary skill in the computer art at the time of the

invention was made to modify the method disclosed by Gere to include a subsequent step of again

reconfiguring said second computer by restoring the local system environment of said second computer,

to wholly reverse said step b) using the teaching of Hamilton. The modification would be obvious

because one of ordinary skill in the art would be motivated to implements portability of an operating

environment and allow an operating environment to transfer to removable storage (Hamilton, [0012]).

Per Claim 10:

Gere teaches c) operating said second computer in accordance with said settings (Gere, FIG. 3,

[0037]-[0038]), Gere does not explicitly teaches further comprising the subsequent step, after said step c),

of automatically erasing all temporary files created on said second computer during said step b).

However, Hamilton teaches further comprising the subsequent step, after said step c), of automatically

erasing all temporary files created on said second computer during said step b) (Hamilton, FIG. 8, step

890, cleanup, [0064], lines 18-19).

It would have been obvious to one having ordinary skill in the computer art at the time of the

invention was made to modify the method disclosed by Gere to include further comprising the subsequent

step, after said step c), of automatically erasing all temporary files created on said second computer

during said step b) using the teaching of Hamilton. The modification would be obvious because one of

ordinary skill in the art would be motivated to implements portability of an operating environment and

allow an operating environment to transfer to removable storage (Hamilton, [0012]).

Per Claim 14:

Gere teaches a) operating a utility on a first computer to store customized program specific

settings (Gere, FIGS 1-3, [0036]), Gere does not explicitly teaches wherein said step a) stores a record of

any version conflicts of DLLs or system services. However, Hamilton teaches wherein said step a) stores

a record of any version conflicts of DLLs or system services (Hamilton, FIGS. 3 and 7, 0057], and [0062],

lines 14-24).

It would have been obvious to one having ordinary skill in the computer art at the time of the

invention was made to modify the method disclosed by Gere to include wherein said step a) stores a

record of any version conflicts of DLLs or system services using the teaching of Hamilton. The

modification would be obvious because one of ordinary skill in the art would be motivated to implements

portability of an operating environment and allow an operating environment to transfer to removable storage (Hamilton, [0012]).

Per Claim 20 (New):

Gere teaches step d) (Gere, FIG. 3, [0039]-[0040]), Gere does not explicitly teach before step d): c1) creating a backup of registry information on a second computer. However, Hamilton teaches before step d): c1) creating a backup of registry information on a second computer (Hamiton, FIG. 2, [0054], "data collection could be scheduled to reeat at various time intervals to backup the customization data").

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the method disclosed by Gere to teach before step d): c1) creating a backup of registry information on a second computer using the teaching of Hamilton. The modification would be obvious because one of ordinary skill in the art would be motivated to implements portability of an operating environment and allow an operating environment to transfer to removable storage (Hamilton, [0012]).

Response to Arguments

5.   Applicant's arguments filed 7/10/2007 have been fully considered but they are not persuasive.

Basically applicant argued:

Neither Gere nor Hamilton teaches or suggests the limitation of Applicant's Claim which recites of "reconfiguring the second computer by merging configuration and program information of said first computer into a local system environment of said second computer".

Examiner responses:

Gere does teaches and suggests the limitation of reconfiguring the second computer by merging configuration and program information of said first computer into a local system environment of said second computer (Gere, FIG. 3, [0038]-[0039], "The hardware and software configuration information of

the identity object 336 is <u>then impressed onto the stored operating system environment 313 to update the</u> <u>stored operating system environment 313 in accordance with the characteristics of the computer system</u> <u>100</u>" (emphasis added)), Gere's computer system 100 read in the limitation of second computer (see FIG. 3, and [0036], "a portable operating system environment 340 is transferred from a first computer system 300 to the second computer system 100"); Gere's teaching of "the identity object 336 is then impressed onto the stored operating system environment 313 to update the stored operating system environment..." read in the limitation of reconfiguring the second computer by merging configuration and program information of said first computer into a local system environment of said second computer.

Conclusion

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136 (a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anna Deng whose telephone number is 571-272-5989. The examiner can normally be reached on Monday to Friday 9:30 AM - 6:00 PM.
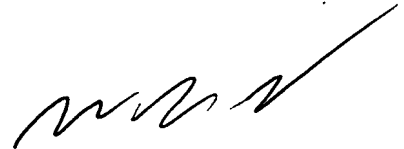
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Zhen can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anna Deng

August 15, 2007

WEI ZHEN
SUPERVISORY PATENT EXAMINER